

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
Bid Protest**

PLANETSPACE, INC.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant,

SPACE EXPLORATION TECHNOLOGIES
CORPORATION and ORBITAL SCIENCES
CORPORATION,

Defendant-Intervenors.

Civil Action No. 09-476C
Senior Judge Lawrence J. Block

**DEFENDANT-INTERVENOR SPACE EXPLORATION
TECHNOLOGIES CORPORATION'S SUPPLEMENTAL MEMORANDUM
RELATING TO THE SOURCE SELECTION AUTHORITY'S DECLARATION**

Defendant-Intervenor, Space Exploration Technologies Corporation (SpaceX), hereby submits this supplemental memorandum regarding the effect of statements contained in the May 3, 2010 declaration of William Gerstenmaier upon the Court's consideration of Counts I and II of plaintiff's complaint. After reviewing the Government's supplemental memorandum, SpaceX has concluded that the Government has fully addressed all protest issues, and SpaceX has no additional comments.

For the reasons set forth in the Government's supplemental memorandum, SpaceX respectfully requests that the Court deny plaintiff's motion for judgment on the administrative record and grant the Government's cross-motion for judgment on the administrative record.

Dated: June 14, 2010

Respectfully submitted,

s/ RICHARD J. VACURA

RICHARD J. VACURA

Counsel of Record

KERIC B. CHIN

MARC A. HEARRON

MORRISON & FOERSTER LLP

1650 Tysons Boulevard, Suite 400

McLean, Virginia 22102

Telephone: 703.760.7700

Facsimile: 703.760.7777

E-mail: RVacura@mofo.com

*Counsel for Defendant-Intervenor
Space Exploration Technologies
Corporation*

CERTIFICATE OF FILING

I hereby certify that on June 14, 2010, a copy of Defendant-Intervenor Space Exploration Technologies Corporation's Supplemental Memorandum Relating To The Source Selection Authority's Declaration was filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: June 14, 2010

s/ Richard J. Vacura